

REVISED DRAFT
OF THE ARTICLES OF A
NEW CHARTER
FOR THE
CONSTITUENT COLLEGE AT CORK.



Presented to both Houses of Parliament by Command of His Majesty.



LONDON:
PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
BY EYRE AND SPOTTISWOODE, LTD.,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
WYMAN AND SONS, LTD., PATTER LANE, E.C., and
22, ARNDON STREET, WESTMINSTER, S.W.; or
OLIVER AND BOYD, TWEEEDALE COURT, EDINBURGH; or
E. PONSONBY, 118, GRAFTON STREET DUBLIN.

1908.

[Cd. 4211.] Price 1d.

REVISED DRAFT OF THE ARTICLES OF A NEW CHARTER FOR THE CONSTITUENT COLLEGE AT CORK.

I.

The College constituted by the Charters granted by Her late Majesty Queen Victoria (herein referred to as the College) shall be called and known as the College, Cork, having its seat at Cork, in the province of Munster, and under the name and style of "The College, Cork," shall remain and continue one body corporate, with perpetual succession and a common seal, and with power, without any further license in mortmain, to take, purchase, and hold, and also to sell, grant, exchange, demise, and otherwise dispose of real and personal property.

Notwithstanding anything in this Our Charter, the College shall not at any time hold real property in Our United Kingdom exceeding the annual value of £30,000 (according to the value of such property at the time of its acquisition) over and above the value of any site, buildings, and hereditaments used and occupied for the immediate purposes of the College.

II.—RELATION OF THE COLLEGE TO THE UNIVERSITY.

In accordance with the Irish Universities Act, 1908, the College is a Constituent College of the University with its seat in Dublin founded by Us by Charter, hereinafter referred to as the University.

III.—POWERS OF THE COLLEGE.

Subject to the Irish Universities Act, 1908, and to Our Charter founding the University, the College shall have the powers following:—

- (1) To teach Students who are seeking to obtain any Degree, Diploma, Certificate, or other academic distinction which the University confers;
- (2) To provide teaching for other purposes, so far as means are available, and generally to promote the advancement and dissemination of knowledge;
- (3) To provide facilities for the prosecution of original research in science, literature, or other subjects taught in the College, and especially in the applications of science.
- (4) To institute and award Prizes and other Rewards for Students of the College;
- (5) To accept from Donors gifts of land, money, or other property for the foundation of Professorships, Lectureships, Scholarships, or Studentships, or for the erection of buildings, or for the endowment of research, or for any other purposes connected with the College, upon such trusts as may be specified by the Donors;
- (6) To establish, maintain, or license halls of residence or other places for the residence of Students;
- (7) To do all such things in relation to the University as may be authorised by Our Charter founding the University or otherwise;
- (8) To do all such other acts and things, whether incidental to the aforesaid powers or not, as may be requisite in order to further the objects of the College as a Teaching Body.

IV.—VISITOR.

The Visitor of the University shall be the Visitor of the College.

V.—MEMBERSHIP OF THE COLLEGE.

The President of the College, the Members of the Governing Body of the College, the Members of the Academic Council of the College, the registered Graduates of the University who have been Matriculated Students in the College founded by this Our Charter, or in Queen's College, Cork, and the Students of the College who are Matriculated Students of the University, are the Members of the College for the time being.

Women shall be eligible equally with men to become Members of the College, or of the Governing Body of the College, and to hold any office or enjoy any advantages of the College.

VI.—THE PRESIDENT OF THE COLLEGE.

(1) The President of the College shall be the head and chief officer of the College, and shall be entitled to preside at meetings of the Governing Body, at meetings of the Academic Council, and at meetings of Committees of the Governing Body or Academic Council.

(2) We hereby nominate Bertram Coghill Alan Windle, M.A., D.Sc., M.D., F.R.S., to be the first President of the College created by this Our Charter.

(a) If before the expiration of the period of six years from the day appointed for the dissolution of Our Royal University of Ireland a vacancy occurs in the office of President, the University shall appoint a suitable person to be President for the remainder of that period; and if during the term of office of the first Governing Body a person who is not a Member of the Governing Body is appointed to be President, he will be nominated by Us to be a Member of the Governing Body:

(b) If any appointment is made to fill a vacancy as aforesaid, on the expiration of six years from the day appointed for the dissolution of Our Royal University of Ireland the office of President shall be vacant and shall be filled by the University.

(3) Save as regards the first President, who holds his office in accordance with the provisions of subsection five of section fifteen of the Irish Universities Act, 1908, and save as is provided above in the event of a vacancy occurring within a period of six years from the day appointed for the dissolution of Our Royal University of Ireland, the President shall hold office for such period as may be determined by the Statutes of the College, and on the occurrence of a vacancy the University shall appoint the President of the College.

(4) In every appointment of a President by the University the following conditions must be observed:—

(a) The University must obtain and consider the representations of the Governing Body of the College as to the filling of the vacancy;

(b) If the number of candidates be more than three, the Governing Body of the College shall be entitled to select not less than three candidates from amongst whom the University must make the appointment.

(5) Any President of the College who has been appointed by the University may, upon due cause shown in an application made by the Governing Body of the College, be removed from office by the University, but any President so removed from office may appeal to the Visitor, and any such appeal shall be heard and determined in the manner provided in Our Charter founding the University.

VII.—THE GOVERNING BODY.

(1) We hereby nominate as the first Governing Body of the College the persons named in the Schedule hereto.

(2) Any casual vacancy in the first Governing Body shall be filled by Our further nomination.

(3) The first Governing Body shall hold office till the expiration of a period of three years and three months from the day appointed for the dissolution of Our Royal University of Ireland.

(4) The Governing Body, after the expiration of the period of office of the first Governing Body, shall be constituted as follows:—

The President - - - - -	1
Nominated by the Crown - - - - -	3
Appointed by the Senate of the University - - - - -	2
Professors of the College elected by the Academic Council - - - - -	6
Graduates of the University who are members of the College elected by those Graduates - - - - -	4
The Lord Mayor of Cork - - - - -	1
The Mayor of Limerick - - - - -	1
The Mayor of Waterford - - - - -	1
The Chairman or other member or person representing each of the following Councils to be elected by the Council:—	
The County Council of Cork - - - - -	1
The County Council of Waterford - - - - -	1
The County Council of Kerry - - - - -	1
The County Council of Limerick - - - - -	1
Elected by the County Councils of Tipperary, acting jointly in manner prescribed by the Statutes - - - - -	1
Co-opted - - - - -	4

Any person who by virtue of holding an office is a Member of the Governing Body shall retire from membership on ceasing to hold that office.

The Members of the Governing Body, other than the ex-officio Members, shall hold office for a period of three years. The successor in the case of a casual vacancy shall be appointed in like manner with his predecessor, and shall hold office for the remainder of his term.

Retiring Members are eligible to serve again.

The Statutes of the College shall provide, so far as may be necessary, for the time at which, and the manner in which, elected members of the Governing Body are to be chosen.

(5) The acts or proceedings of the Governing Body shall not be invalidated by any vacancy among its Members, or by any defect in the mode of appointment or election of any of its Members.

VIII.—POWERS OF THE GOVERNING BODY.

The Governing Body shall manage and control all the affairs of the College, subject to Our Charter founding the University, to this Our Charter, and to any provisions in the Statutes of the University and the College, and shall direct the form, custody, and use of the Common Seal of the College.

Subject to the Irish Universities Act, 1908, the Governing Body may make Statutes for the College, and may also make Regulations.

IX.—THE ACADEMIC COUNCIL.

(1) There shall be an Academic Council which, subject to the proviso hereinafter contained, shall consist of the President and Professors of the College, with such Lecturers of the College as may be co-opted; and, in addition to the power to elect representatives on the Governing Body, the Academic Council, subject to review by the Governing Body, shall have the powers following:—

- To manage and carry out the curriculum, instruction, and education afforded by the College;
- To make recommendations for the Scholarships and other Prizes of the College;
- To carry out any regulations which may be made by the Governing Body on the matters aforesaid;

- (d) To regulate and carry out the discipline of the Students of the College;
 - (e) To transact such other matters as may be committed to the Academic Council by the Governing Body.
- (2) No Professor or Lecturer in Theology is eligible for membership of the Academic Council.

X.—REGULATIONS AS TO PROCEDURE.

The Governing Body, the Academic Council, and, subject to any directions given by the Governing Body, Committees of the Governing Body may from time to time make regulations for governing their proceedings, subject to this Our Charter and to the Statutes of the College.

XI.—THE OFFICERS OF THE COLLEGE.

The Governing Body of the College shall appoint suitable persons to be Registrar, Bursar, and Librarian of the College, and any person so appointed shall hold office under the Statutes of the College:

Provided that if, by virtue of a scheme made under Section 16 of the Irish Universities Act, 1908, any one of these offices is offered as an equivalent office to an existing officer, as defined by Section 18 of that Act, and is accepted by him, this Article shall not take effect as regards that office until the occurrence of a vacancy in the office.

XII.—PROFESSORS, LECTURERS, AND OTHER TEACHERS OF THE COLLEGE.

(1) Statutes of the College shall determine what Professors and Lecturers being heads of departments there shall be in the College. The duties, titles, salaries, and tenure of these several teaching offices shall be respectively such as the Statutes determine.

(2) The Governing Body shall regulate the provision of Assistants and Demonstrators to the Professors and Lecturers.

(3) After the expiration of the time limited for any appointments which in virtue of Section 15 of the Irish Universities Act, 1908, are temporary appointments, all appointments to teaching offices shall be made—

(a) As regards Professors and Lecturers, by the University, subject to the following conditions:—

(i) The University must first obtain and consider the representations of the Governing Body of the College as to the filling of vacancies;

(ii) If the number of candidates be more than three, the Governing Body of the College shall be entitled to select not less than three candidates from amongst whom the University must make the appointment;

(iii) The Governing Body, before making any representations or selecting any candidate, must obtain a report in reference thereto from the Academic Council.

(b) As regards Assistants and Demonstrators to the Professors and Lecturers, by the Governing Body of the College: after considering the representations of the Academic Council.

Provided that if, by virtue of a scheme made under Section 16 of the Irish Universities Act, 1908, any teaching office in the College is offered as an equivalent office to an existing officer, as defined by Section 18 of that Act, and is accepted by him, this Clause shall not take effect as regards that office until the occurrence of a vacancy in the office.

(4) Any Professor or Lecturer who has been appointed by the University may, upon due cause shown in an application made by the Governing Body of the College, be removed from his office by the University; but any Professor or Lecturer so removed may appeal against dismissal to the Visitor, and the appeal shall be heard and determined in the manner provided in Our Charter founding the University.

(5) Nothing in this Our Charter shall prevent the institution by private endowment of any Professorship, Lectureship, or other teaching office in connection with the College; and if the instrument founding any such teaching office expressly provides for the duties or salary of the office or for the mode of appointment to and removal from the office, these provisions shall have effect in lieu of any provisions in this Our Charter.

XIII.—SAVING OF RIGHTS AND PRIVILEGES.

Any person who has been a Student of Queen's College, Cork, or has obtained any standing or other privilege therein before the date of this Our Charter, shall, unless he becomes a Member of the University having its seat in Belfast, be entitled to all the advantages to which he would have been entitled if his studies had been pursued or his privileges acquired in the College created by this Our Charter.

XIV.—FEES.

The College may demand and receive such fees as the Governing Body may appoint.

XV.—GENERAL PROVISIONS.

Except as aforesaid, and except by way of prize, reward, special grant, or remuneration for services rendered or to be rendered in the past, present, or future respectively, the College shall not make any gift, division, or bonus in money unto or between any of its Members.

XVI.

Any Supplemental or Amending Charter granted by Us, Our Heirs and Successors, and accepted by the Governing Body of the College, shall be binding upon all persons concerned.

XVII.

In this Our Charter "Statutes" means the Statutes for the general government of the College made by the Dublin Commissioners pursuant to the Irish Universities Act, 1908, and any Statutes which may subsequently be made by the Governing Body of the College, unless the context requires that the Statutes of the University shall be understood.

"Regulations," unless the context implies a reference to the Regulations of the University, means Regulations made in the discretion of the Governing Body subject to this Our Charter and the Statutes of the College.

XVIII.

(1) The provisions of this Our Charter shall come into effect as from the day appointed under the Irish Universities Act, 1908, for the dissolution of Our Royal University of Ireland, and on that day every provision in the Charter in force at the time of the passing of the said Act, save only the incorporation of the said College as a body politic and corporate, shall be determined.

(2) Until the day appointed as aforesaid for the dissolution of Our Royal University of Ireland, the provisions of the Charter in force at the time of the passing of the Irish Universities Act, 1908, shall have effect subject to the modifications following:—

- (a) The first Governing Body nominated in this Our Charter, and any Professors and Lecturers of the College who are not members of that body, shall constitute the body corporate of the College;
- (b) There shall be an Academic Council, consisting of the President and Professors of the College with such Lecturers of the College as may be co-opted;
- (c) Everything in the said Charter which provides for the mode of election of a College Council shall be determined and the College Council shall be dissolved;

- (d) Any powers which under the Statutes contained in the said Charter are assigned to the corporate body or to the College Council shall be deemed to vest in the first Governing Body. Provided that the Academic Council, subject to review by the Governing Body, shall transact such business as may be committed to the Academic Council by the Governing Body, and shall exercise such powers as the Governing Body may delegate to it;
- (e) Any reference to the College Council shall be deemed to be a reference to the Governing Body.

XIX.

Our Royal will and pleasure is that this Our Charter shall be construed and adjudged in the most favourable and beneficial sense for the best advantage of the College, and the promoting of the objects of this Our Charter, as well in all our Courts as elsewhere, notwithstanding any non-recital, mis-recital, uncertainty, or imperfection herein.



THE FIRST GOVERNING BODY.

- *R. C. A. Windle, M.A., D.Sc., M.D., F.R.S. (President).
 The Reverend G. S. Baker, B.A., B.D.
 The Reverend Michael Barrett, Ph.D.
 *W. Bergin, M.A. (Professor).
 *W. F. T. Butler, M.A. (Professor).
 John Walsh Clery, D.L.
 Eugene Joseph Ignatius Connolly.
 *Henry Corby, B.A., M.D., M.Ch. (Professor).
 Henry Duke, J.P.
 *Augustus E. Dixon, M.D. (Professor).
 Thomas Donovan, J.P.
 The Most Reverend Thomas Fennelly, D.D.
 Michael Edward Fitzgerald, J.P.
 Sir Stanley Harrington, B.A., J.P.
 *Marcus Hartog, M.A., D.Sc. (Professor).
 Maurice Healy.
 William Henry Hill, B.E., F.R.I.B.A.
 James Long, J.P.
 William McDonald, J.P.
 E. P. McSweeney.
 D. D. Madigan.
 The Right Reverend William Edward Meade, D.D.
 Michael Murphy.
 The Most Reverend Thomas O'Callaghan, D.D.
 *Charles Yelverton Pearson, M.D., M.Ch., F.R.C.S. (Professor).
 Augustine Roche, M.P.
 Miss Lucy E. Smith, M.D.
 Robert Unsicker Fitzgerald Townsend.
 J. Travers Wolfe.

The nominations in the cases of the persons whose names are marked with asterisks have effect only while they hold the offices a description of which is attached to their names; and if any such person ceases to hold the office a vacancy occurs to be filled by a further nomination.